

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HORACE THOMAS,
Plaintiff,

v.

MERLE BRUCE M.D.,
Defendant.

2:14-cv-619-MMD-CWH
ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the California Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 for events that took place while he was incarcerated at High Desert State Prison (“HDSP”). (ECF No. 1 at 1). Plaintiff has not filed an application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an *in forma pauperis* application, a financial certificate, or an inmate account statement. The Court will retain Plaintiff’s civil rights complaint (ECF No. 1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

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II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full filing fee of \$400.

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF No. 1), but shall not file it at this time.

DATED: This 12th day of May, 2014.

C.W. Hoffman, Jr.
United States Magistrate Judge